

**COMBINED DECLARATION FOR PATENT APPLICATION  
AND POWER OF ATTORNEY**

# COPY

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name,

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled

**METHOD OF INHIBITING ANGIOGENESIS**

the specification of which (check one) ☐ is attached hereto or ☒ was filed on November 17, 1999 as Application Serial No. 09/443,010 and was amended on not applicable (if applicable).

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to the examination of this application in accordance with Title 37, Code of Federal Regulations, Section 1.56.

I hereby claim foreign priority benefits under Title 35, United States Code, § 119(a)-(d) of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate have a filing date before that of the application on which priority is claimed:

Prior Foreign Application(s):

Priority Claimed

Yes      No

Number	Country	Day/Month/Year Filed
I hereby claim the benefit under Title 35, United States Code, § 119(e) of any United States provisional applications(s) listed below:		
60/116,530		January 20, 1999
Application Ser. No.		Filing Date
60/109,328		November 20, 1998
Application Ser. No.		Filing Date

I hereby claim the benefit under Title 35, United States Code, § 120 of any United States applications(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, § 112, I acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, § 1.56 which occurred between the filing date of the prior application and the national or PCT international filing date of this application:

Application Ser. No.	Filing Date	Status: Patented, Pending, Abandoned
<b>POWER OF ATTORNEY:</b> As a named inventor, I hereby appoint all Attorney(s) and/or Agent(s) associated with the following Patent Office Issued Customer Number to prosecute this application and transact all business in the Patent and Trademark Office connected therewith.		



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## PATENT TRADEMARK OFFICE

Send correspondence to Genentech, Inc.

Attn: Timothy R. Schwartz, Ph.D.

Telephone: (650) 225-7467

I hereby declare that all statements made herein of my own knowledge and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment or both, under Section 1001 of Title 18 of the United States Code and that willful false statements may jeopardize the validity of the application or any patent issued thereon.

The undersigned hereby authorizes the U.S. attorney or agent named herein to accept and follow instructions from his foreign patent agent as to any action to be taken in the Patent and Trademark Office regarding this application without direct communication between the U.S. attorney or agent and the undersigned. In the event of a change in the persons from whom instructions may be taken, the U.S. attorney or agent named herein will be so notified by the undersigned.

Full name of sole or first inventor

Mary E. Gerritsen

Inventor's signature

Date

May 2, 2001

Residence

541 Parrott Drive, San Mateo, California 94402

Citizenship

Canada

Post Office Address

1 DNA Way

South San Francisco, CA 94080

Full name of second joint inventor, if any

Xiaohua E. Xin

Inventor's signature

Date

May 3, 2001

Residence

402 Font Boulevard, San Francisco, California 94132

1530 - 5<sup>th</sup> Ave. Apt. 101, San Francisco, CA 94122

Citizenship

China

Post Office Address

1 DNA Way

South San Francisco, CA 94080

COPY

Inventor(s): Mary A. Gerritsen and Xiaohua E. Xin  
 Title: METHOD OF INHIBITING ANGIOGENESIS

## POWER OF ATTORNEY

The specification of the above-identified patent application:

- ☐ is attached hereto  
☒ was filed on November 17, 1999 as application Serial No. 09/443,010

I hereby revoke all previously granted powers of attorney in the above-identified patent application and appoint the following attorneys to prosecute said patent application and to transact all business in the Patent and Trademark Office connected therewith:

Ralph J. Gabric - Reg. No. 34,167

Paul E. Rauch - Reg. No. 38,591

K. Shannon Mrksich - Reg. No. 36,675

Thomas J. Wrona - Reg. No. 44,410

Wendy M. Lee - Reg. No. 40,378

Richard B. Love - Reg. No. 34,659

Mark T. Kresnak - Reg. No. 42,767

Timothy R. Schwartz - Reg. No. 32,171

Craig G. Svoboda - Reg. No. 39,044

Lee K. Tan - Reg. No. 39,447

Sean A. Johnston - Reg. No. 35,910

Dennis G. Kleid - Reg. No. 32,037

Jeffrey S. Kubinec - Reg. No. 36,575

Atulya R. Agarwal - Reg. No. 40,887

Walter E. Buting - Reg. No. 23,092

Elizabeth M. Barnes - Reg. No. 35,059

David A. Carpenter - Reg. No. 45,945

Deirdre L. Conley - Reg. No. 36,487

Steven X. Cui - Reg. No. 44,637

Janet E. Hasak - Reg. No. 28,616

Please address all correspondence and telephone calls to Paul E. Rauch, Ph.D. in care of:

## Brinks Hofer Gilson &amp; Lione

P.O. Box 10395

Chicago, IL 60610

(312) 321-4200

The undersigned hereby authorizes the U.S. attorneys named herein to accept and follow instructions from Tim Schwartz, Esq. as to any action to be taken in the Patent and Trademark Office regarding this application without direct communication between the U.S. attorney and the undersigned. In the event of a change in the persons from whom instructions may be taken, the U.S. attorneys named herein will be so notified by the undersigned.

Genentech, Inc., a Delaware corporation, certifies that it is the assignee of the entire right, title and interest in the patent application identified above by virtue of either:

- ☒ An assignment from the inventor(s) of the patent application identified above, a copy of which is attached hereto.  
 OR
- ☐ An assignment from the inventor(s) of the patent application identified above. The assignment was recorded in the Patent and Trademark Office at Reel \_\_\_\_\_, frame \_\_\_\_\_.  
 OR
- ☐ A chain of title from the inventor(s), of the patent application identified above, to the current assignee as shown below:

1. From \_\_\_\_\_ To: \_\_\_\_\_  
 The document was recorded in the Patent and Trademark Office at  
 Reel \_\_\_\_\_, frame \_\_\_\_\_, or a copy thereof is attached.

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2. From \_\_\_\_\_ To: \_\_\_\_\_

The document was recorded in the Patent and Trademark Office at  
Reel \_\_\_\_\_, frame \_\_\_\_\_, or a copy thereof is attached.

☐ Additional documents in the chain of title are listed on a supplemental sheet.

The undersigned has reviewed the assignment or all the documents in the chain of title of the patent application identified above and, to the best of undersigned's knowledge and belief, title is in the assignee identified above.

The undersigned (whose title is supplied below) is empowered to act on behalf of the assignee.

I hereby declare that all statements made herein of my own knowledge are true, and that all statements made on information and belief are believed to be true; and further, that these statements are made with the knowledge that willful false statements, and the like so made, are punishable by fine or imprisonment, or both, under Section 1001, Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

Signature

Name:

Title:



Tim Schwartz, Esq.

Section Patent Attorney

Date:

5/3/01

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**ASSIGNMENT**

WHEREAS, Mary E. Gerritsen, a citizen of Canada, residing at 541 Parrott Drive, San Mateo, California 94402, and Xiaohua Xin, a citizen of China, residing at 1530 - 5<sup>th</sup> Avenue, Apt. 101, San Francisco, California 94122 (hereinafter "ASSIGNORS"), have invented a new and useful invention in

**METHOD OF INHIBITING ANGIOGENESIS**

for which an application Serial No. 09/443,010 (Docket No. P1714R2) for Letters Patent has been Filed by them on November 17, 1999; and

WHEREAS, GENENTECH, INC., a corporation organized and existing under and by virtue of the laws of the State of Delaware, having a place of business at 1 DNA Way, South San Francisco, California 94080-4990, is desirous of acquiring an interest in and to said invention, and in and to the Letters Patents to be obtained therefor;

NOW, THEREFORE, be it known by all whom it may concern;

That for good and valuable consideration the receipt of which is hereby acknowledged, the said ASSIGNORS have and do hereby sell, assign, transfer and set over unto the said GENENTECH, INC., its successors and assigns, the full and exclusive right, title and interest including all rights under the Paris Convention for the Protection of Industrial Property, in and to said invention, and in and to any and all Letters Patents to be granted and issued therefor or any continuation, division, renewal, or substitute thereof, and as to Letters Patents any reissue or re-examination thereof, not only for, to, and in the United States of America, its territories and possessions, but for, to and in all other countries; and it has been and is hereby authorized and requested that the appropriate government agencies issue said Letters Patents to said GENENTECH, INC., in accordance with this Assignment.

Said ASSIGNORS covenant and agree to cooperate with GENENTECH, INC., to enable said GENENTECH, INC. to enjoy to the fullest extent the right, title and interest herein conveyed in the United States and foreign countries. Such cooperation by said ASSIGNORS includes prompt production of pertinent facts and documents, giving of testimony, execution of petitions, oaths, specifications, declarations or other papers, and other assistance all to the extent deemed necessary or desirable by said GENENTECH, INC., (a) for perfecting the right, title and interest herein conveyed; (b) for prosecuting any of said applications; (c) for filing and prosecuting applications for reissuance of any of said patents; (d) for interference or other priority proceedings involving said invention; and (e) for legal proceedings involving said invention and any applications therefor and any patents granted thereon, including without limitation opposition proceedings, cancellation proceedings, priority contests, public use proceedings, infringement actions and court actions; provided, however, that the expense incurred by said ASSIGNORS in providing such cooperation shall be paid for by said GENENTECH, INC.

The terms and covenants of this assignment shall inure to the benefit of said GENENTECH, INC., its successors, assigns and other legal representatives, and shall be binding upon said ASSIGNORS, their respective heirs, legal representatives and assigns.

Said ASSIGNORS hereby warrant and represent that they have not entered and will not enter into any assignment, contract, or understanding in conflict herewith.

IN WITNESS WHEREOF we undersign as follows:

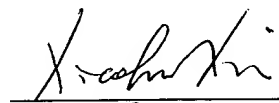
South San Francisco, California

Dated: May 2, 2001, 2001

South San Francisco, California

Dated: May 3, 2001

  
\_\_\_\_\_  
Mary E. Gerritsen

  
\_\_\_\_\_  
Xiaohua Xin

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PATENTS ONLY

PATENTS ONLY

## TO THE COMMISSIONER FOR PATENTS

Please record the attached original document or copy thereof.

1. Name of Party(ies) conveying an interest:

Mary E. Gerritsen  
Xiaohua Xin

Additional name(s) of conveying party(ies) attached?

☐ Yes ☒ No

2. Name and Address of Party(ies) receiving an interest:

Name: Genentech, Inc.  
Internal Address:  
Street Address: 1 DNA Way  
City: South San Francisco  
State/Zip: CA 94080-4999

Additional name(s) and addresses attached?

☐ Yes ☒ No

3. Description of the interest conveyed:

☐ Assignment ☐ Change of Name Other:  
☐ Security Agreement ☐ Merger

Execution Date: 05/02/01 and 05/03/01

4. Application number(s) or patent number(s). Additional sheet attached? ☐ Yes ☒ No

If this document is being filed together with a new application, the execution date of the application is:

Date

A. Patent Application No.(s)

B. Patent No.(s)

Additional numbers attached? ☐ Yes ☐ No

5. Name and address of party to whom correspondence concerning document should be mailed:

BRINKS HOFER GILSON & LIONE  
P.O. BOX 10395  
CHICAGO, IL 60610  
(312)321-4200

6. Number of applications and patents involved: \_\_\_\_\_


7. Total fee (37 CFR 3.41) \$ \_\_\_\_\_

☐ Enclosed  
☒ Authorized to be charged to Deposit Account No. 23-19258. ☒ Please charge any deficiencies in fee or credit any overpayment to Deposit Account No. 23-1925.

DO NOT USE THIS SPACE

9. Statement and signature.

To the best of my knowledge and belief, the foregoing information is true and correct and any attached copy is a true copy of the original document.

Thomas J. Wrona  
Name of Person Signing  
SignatureMay 25, 2001  
Date

Total number of pages including cover sheet, attachments, and document: 3

COPY